

ROBERTA RUTH DAVIS
38 White Earth Road
White Earth, North Dakota 58794
(701) 641-0391

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2012 AUG 21 A 11:55

CLERK OF DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA)	CR-S-09-0078 JCM-RJJ
)	
)	MOTION TO PLACE ON
)	CALENDAR
SAMUEL L DAVIS)	
Defendant)	
_____)	

COMES NOW ROBERTA RUTH DAVIS with Motion to Place on Calendar for the purpose to rule on Notice of Claim which has been filed on June 21, 2012.

Attached to this Motion was a Claim for the Courts consideration. This Court has not made a ruling on this Claim and I hereby request this Court give a date and time so that it may be heard.

DATED this 21st day of August, 2012.


ROBERTA RUTH DAVIS

ORDER

Be advised that the Notice of Claim will be heard on _____ day of _____, 20____.

DISTRICT COURT JUDGE

ATTACHED: Exhibit 'A'

Notice of Claim

Marriage License

Order filed with Notice of Claim

Order to Report

Notice of Claim

Regarding case number CR-S-09-078-JCM

USA V SAMUEL L DAVIS

I, ROBERTA RUTH DAVIS being of sound mind does hereby lay claim to my husband, SAMUEL LYNN DAVIS. The claim is supported by the Marriage License from the STATE OF IDAHO as shown in Exhibit A. This claim is in reply to the claim by the STATE OF NEVADA, STATE OF IDAHO OR THE U.S. GOVERNMENT for incarceration of one SAMUEL LYNN DAVIS. The charges by which have been obtained in a highly questionable manner. I therefore am laying claim to my husband, SAMUEL LYNN DAVIS.

Within the marriage ceremony as outlined by the STATE OF IDAHO certain vows were made to me, ROBERTA RUTH DAVIS as spouse of SAMUEL LYNN DAVIS. The vows stated during this wedding ceremony are also a binding contract between myself, ROBERTA RUTH DAVIS and my husband, SAMUEL LYNN DAVIS as attested to by the signing of the marriage license with witnesses and notarization. This marriage license is also recorded in the STATE OF IDAHO. Those vows were not only to love, honor and cherish but to also provide for said spouse, ROBERTA RUTH DAVIS and to take care of each other in sickness as in health. If the court follows through with the incarceration of SAMUEL LYNN DAVIS they are then denying me, ROBERTA RUTH DAVIS my said vows which come long before this current incarceration. I lay claim to my husband, SAMUEL LYNN DAVIS until such time as I chose to relinquish said claim or SAMUEL LYNN DAVIS has proceeded on to meet the good Lord at which time relief has been fully granted to SAMUEL LYNN DAVIS.

If SAMUEL LYNN DAVIS is incarcerated then who is to provide for me, ROBERTA RUTH DAVIS? My husband of twenty-five plus years has provided for myself and our family for all of this time. Who then is to be the provider if SAMUEL LYNN DAVIS is incarcerated? Will the STATE OF NEVADA, STATE OF IDAHO OR THE U.S. GOVERNMENT then step up and fulfill the said obligation as it is the STATE OF NEVADA, STATE OF IDAHO OR THE U.S. GOVERNMENT blocking the fulfillment of my contract with my husband SAMUEL LYNN DAVIS. My husband, SAMUEL LYNN DAVIS is also suffering at this time from several health issues that are my responsibility to watch over and to care for him regarding his health. If the stated incarceration happens then who is going to care for my husband's health issues, or even my health issues? Is the STATE OF NEVADA, STATE OF IDAHO, OR THE U.S. GOVERNMENT going to step in and take care of both of us regarding the issues of provision and health?

This contract with my husband, SAMUEL LYNN DAVIS is a binding contract and the STATE OF NEVADA, STATE OF IDAHO, OR THE U.S. GOVERNMENT has no legal right to place their claim before my own claim. Therefore I request that my husband be released from any and all claims that THE STATE OF NEVADA, THE STATE OF IDAHO OR THE U.S. GOVERNMENT might have now and in the future. I demand that my husband, SAMUEL LYNN DAVIS be released into my, ROBERTA RUTH DAVIS' care and custody immediately as I have the priority claim.

Respectfully

Roberta Ruth Davis

Exhibit A

Exhibit A

Department of Health and Welfare
Bureau of Vital Statistics
Boise, Idaho 83720

STATE OF IDAHO

County of Jerome Marriage License

County File No. 302957

KNOW ALL MEN BY THIS CERTIFICATE: That any regularly ordained minister of the Gospel, authorized by the rites and usages of the church or denomination of Christians, Hebrews or religious body of which he may be a member, or any judge or magistrate, or competent officer to whom this may come, he not knowing of any lawful impediments thereto, is hereby authorized and empowered to solemnize the rites of Matrimony between:

GROOM AND BRIDE

1. Full Name Samuel Lynn Davis Jerome Idaho
2. Address: Jerome Idaho
3. Age 32 4. Race C 5. Single X 6. Widowed X 7. Divorced X 8. State WA
9. Birthplace: City Jerome Idaho
10. Maiden Name if previously married THOMASON
11. Date 24 12. Race C 13. Single X 14. Widowed X 15. Divorced X
16. Birthplace: City Jerome Idaho
17. Birthplace: City Jerome Idaho

B/D Groom: 8/7/54 Bride: 4/4/62

And to certify the same to said parties, or either of them under his hand and seal, in his ministerial or official capacity, and thereupon he is required to deliver this copy to the parties so married.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at Jerome Idaho, this 3rd day of December, A.D. 1986

Cheryl Watts
Judith A. Proctor Deputy

Marriage Certificate

I, Ellis M. Keck, Baptist Pastor, residing at Jerome, in the County of Jerome, in the State of Idaho do certify that, in accordance with the authority on me conferred by the above license, I did on this 7th day of DEC, in the year A.D. 1986 at Jerome in the County of Jerome, in the State of Idaho, solemnize the rites of matrimony between Samuel Lynn Davis of Jerome and Roberta Ruth Davis of the State of Idaho, in the County of Jerome and Gera H. Mayes in the presence of Cindy Miller and 7th.
WITNESS My Hand at the County aforesaid, this 7th day of December, A.D. 1986

In the presence of
Samuel L. Davis
and Cindy H. Miller

Ellis M. Keck
Signature of person officiating

Exhibit A
Exhibit A

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CAUSE NO. 2:09-CR-0078-JCM-RJJ

UNITED STATES OF AMERICA
Plaintiff

Vs.

SAMUEL DAVIS, Samuel Davis, *true name* Samuel Lynn Davis (fiction)
Defendant

ORDER

Before the Court is the NOTICE of CLAIM of Roberta Davis, wife/spouse of Samuel Davis. After reviewing the notice, the attached evidence of marital record and contract, and for good cause appearing, I hereby order that Samuel L. Davis, is hereby released to the care and custody of Roberta Davis, his wife, and that any/all further proceedings in this matter are adjourned pending periodic review of the Court. The probationary requirements and rules will continue to be complied with by Samuel L. Davis until further notice of the court. The Order of the Court requiring Mr. Davis to report to prison is hereby rescinded pending further notice.

It is further ordered that the records in the above styled case are to be sealed.

Signed on this the ____ day of June, 2012.

Honorable JAMES C. MAHAN
US DISTRICT JUDGE

Exhibit A



U. S. Department of Justice

United States Marshal Service

District of Nevada

333 Las Vegas Blvd., South Ste 2058
Las Vegas, NV 89101

June 13, 2012

Samuel Davis
2430 Lappin Ln
Council, ID 83612

Dear Mr. Davis:

The FCI Sheridan, 27072 Ballston Rd, Sheridan, OR 97378, telephone 503-843-4442, is designated as the institution for you to serve your sentence. You are to voluntarily surrender to this institution on June 27, 2012, before 12:00 p.m. Please be sure to bring a State issued photo ID.

You can learn more about the Bureau of Prisons by checking out their website www.bop.gov.

Sincerely,

CHRISTOPHER HOYE III
United States Marshal
District of Nevada

By: Ailene McGahey, ASA
Prisoner Operations

Exhibit A